

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 100 365	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/09528	International filing date (day/month/year) 28/09/2000	Priority date (day/month/year) 28/09/1999
International Patent Classification (IPC) or national classification and IPC B60J5/04		
Applicant MERITOR AUTOMOTIVE GMBH et al.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
  - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  27/04/2001	Date of completion of this report  30.01.2002
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  Sallard, F  Telephone No. +49 89 2399 7299  

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP00/09528

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

### Description, pages:

1-12 as originally filed

### Claims, No.:

1-8 as originally filed

### Drawings, sheets:

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	1-8
	No:	Claims	
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-8
Industrial applicability (IA)	Yes:	Claims	1-8
	No:	Claims	

2. Citations and explanations  
**see separate sheet**

## VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

**see separate sheet**

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:  
**see separate sheet**

**Re Item V**

**Reasoned statement under Article 35(2) PCT with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

- 1) Reference is made to the following documents cited in the international search report:
  - D1: EP-A-0 483 895 (FIAT AUTO)
  - D2: US-A-5 822 927 (HELLENKAMP)
  - D3: US-A-4 416 088 (FEUCHT)
- 2) The document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document) a hollow-interior vehicle door (column 2, lines 1-41 and figures 1 and 3) consisting of an internal in its entirety essentially pot-shaped or pan-shaped stiffening structure (12 and 13) and of at least one external outer panel element (14) being essentially lid-shaped and supported by the essentially pot-shaped or pan-shaped stiffening structure, such as a door skin, as well as of functional parts for practicing the door functions, in which the essentially pot-shaped or pan-shaped stiffening structure
  - a) serves to accommodate functional parts of the vehicle door, such as a hinge (22) and
  - b) has an access opening, such as a service opening into the door interior defined by one outer panel element (14) and the essentially pot-shaped or pan-shaped stiffening structure (12 and 13), wherein
  - c) the essentially pot-shaped or pan-shaped stiffening structure is divided into two parts, in fact,
  - d) into a first stiffening element (13) for supporting the outer panel element (14) and
  - e) into a second essentially pot-shaped or pan-shaped stiffening element (12) for supporting functional parts of the vehicle door and that
  - f) the two stiffening elements (12, 13) have, in the area of the outward-pointing, thus in Y-direction pointing, side walls of the door interior, elongated connecting surfaces which define the access opening to the door interior (figure 3).

A vehicle door according to claim 1 of the present application only differs from the vehicle door known from D1 in that the first stiffening element for supporting the outer panel is a frame-shaped (i.e. ring-shaped) element.

From D3, an hollow-interior vehicle door which has a frame-shaped stiffening element supporting the outer panel element of the door is known (element (32) in figure 3 of D3; see column 33, lines 36-39).

In case a vehicle door with an increased interior depth would be sought, the skilled person would regard it as a normal design possibility to include the frame-shaped stiffening element known from D3 in the vehicle door described in document D1. The subject-matter according to claim 1 of the present application does not therefore involve an inventive step in the sense of Article 33(3) PCT.

- 3) Dependent claims 2-8 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (Article 33(3) PCT), the reasons being as follows:
- a) The technical features of claim 2 are known from D2 (window frame (34) supported by the inner panel (28) - see column 6, lines 44-49 and figure 6).
  - b) The technical features of claim 3 are known from D1 (figure 3) and D3 (figure 3).
  - c) The technical features of claim 4 are known from D3 (figure 3).
  - d) The features of claims 5-8 are merely straightforward possibilities that the skilled person would select, in accordance with circumstances, without the exercise of inventive skill.

Moreover, it would be obvious for the skilled person without the exercise of an inventive step to combine the above features known from documents D1-D3, thereby to arrive at the vehicle door of the claims 2-8.

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EXAMINATION REPORT - SEPARATE SHEET**

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**Re Item VI**

**Certain documents cited**

The following published document (Rule 70.10) discloses all the technical features according to claim 1 of the present application:

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (day/month/year)
EP 0 983 890	08.03.2000	30.08.1999	31.08.1998

**Re Item VII**

**Certain defects in the international application**

- 1) The features of the preamble of claim 1 are not provided with reference signs placed in parentheses as required by Rule 6.2(b) PCT.
- 2) Contrary to the requirements of Rule 11.13(I) PCT, the reference symbols (1A) and (1B) do not appear in the description.
- 3) Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D3 is not mentioned in the description, nor are these documents identified therein.